

# UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

|   |   |                              |
|---|---|------------------------------|
| United States of America                            | ) |                              |
| v.  | ) |                              |
| ORRIN LAMAR JACKSON                                 | ) | Case No: <u>3:90CR085-02</u> |
|   | ) | USM No: <u>08276-058</u>     |
| Date of Previous Judgment: <u>November 26, 1990</u> | ) | <u>James S. Weidner, Jr.</u> |
| (Use Date of Last Amended Judgment if Applicable)   | ) | Defendant's Attorney         |

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 460 months months **is reduced to** 335 months.

### I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

|  |  |
|--|--|
| Previous Offense Level: <u>40</u>                          | Amended Offense Level: <u>36</u>                         |
| Criminal History Category: <u>III</u>                      | Criminal History Category: <u>III</u>                    |
| Previous Guideline Range: <u>360</u> to <u>Life</u> months | Amended Guideline Range: <u>235</u> to <u>293</u> months |

### II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☒ Other (explain): In addition to the sentence at issue herein, the Defendant was sentenced to a consecutive term of 720 months which was imposed for his use/possession of firearms. That portion of the sentence remains unaltered. Thus the Defendant's total sentence is hereby adjusted from 1180 months to 1055 months.

### III. ADDITIONAL COMMENTS

The Court determines the reduction in sentence to be the difference between the low end of the original guideline range (360 months) and the low end of the amended guideline range (235 months), yielding a reduction in the amount of 125 months, which is deducted from the 460 months originally imposed for this charge, for a net of 335 months.

Except as provided above, all provisions of the judgment dated Nov. 26, 1990 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: February 10, 2009

Effective Date: \_\_\_\_\_  
(if different from order date)

  
 Martin Reidinger  
 United States District Judge
 